

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

*In re: Clearview AI, Inc. Consumer Privacy  
Litigation*

Civil Action File No.: 1:21-cv-00135

Judge Sharon Johnson Coleman

Magistrate Judge Maria Valdez

**JOINT STATUS REPORT ON DISCOVERY**

Pursuant to the Court's Orders of March 9, 2023 Order (Dkt. 525) and April 20, 2023 (Dkt. 538), Plaintiffs; Defendants Clearview AI, Inc. ("Clearview"), Hoan Ton-That, Richard Schwartz, Rocky Mountain Data Analytics LLC ("Rocky Mountain"), and Thomas Mulcaire (collectively, the "Clearview Defendants"); and Defendants Macy's, Inc., Macy's Retail Holdings, Inc. (n/k/a Macy's Retail Holdings, LLC), and Macy's Corporate Services, Inc (n/k/a Macy's Corporate Services, LLC) (collectively, the "Macy's Defendants"), by and through their respective counsel, file this Joint Status Report on Discovery.

**I. DOCUMENT PRODUCTION**

All parties represent that they have completed document production. The Macy's Defendants completed their production on March 6, 2023, and Plaintiffs are in the process of reviewing their recent productions for completeness. The completeness of the Clearview Defendants' production is the subject of Plaintiffs' Motion for Discovery Sanctions against the Clearview Defendants (Dkt. 474) and the Clearview Defendants' Motion for Protective Order (Dkt. 471) (collectively, the "Pending Discovery Motions"), and is the subject of ongoing meet and confer discussions among the Macy's Defendants and the Clearview Defendants. Responses

to the Pending Discovery Motions were filed on April 21, 2023, and replies are due on May 5, 2023.

## **II. PENDING DISCOVERY MOTIONS**

As noted above, responses to the Pending Discovery Motions were filed on April 21, 2023, and replies are due on May 5, 2023.

## **III. ADDITIONAL INTERROGATORIES RELATING TO THE MACY'S DEFENDANTS' AMENDED AFFIRMATIVE DEFENSES**

Per the Court's Order of April 5, 2023 (Dkt. 532), the Macy's Defendants filed Amended Affirmative Defenses to the Second Amended Consolidated Class Action Complaint and related underlying complaints on April 11, 2023 (Dkt. 534-537.) Plaintiffs will serve interrogatories relating to the newly-added affirmative defense on or before May 5, 2023 in accordance with the Court's April 5, 2023 Order.

## **IV. ORAL DISCOVERY**

Depositions of the named Plaintiffs were previously noticed for October 27-November 4, 2022. Those depositions were continued in light of motion practice relating to designation of interim lead class counsel and ongoing settlement discussions between Plaintiffs and the Clearview Defendants following mediation on March 7, 2023. Pursuant to the Court's Order of March 6, 2023 (Dkt. 523), depositions of fact witnesses are to be concluded by June 5, 2023. The parties are currently conferring on deposition dates.

Dated: April 24, 2023

Respectfully submitted:

By: /s/ Jon Loevy  
JON LOEVY

*Plaintiffs' interim lead class counsel*

By: /s/ Daniel R. Saeedi

DANIEL R. SAEEDI

*Counsel for the Macy's Defendants*

By: /s/ James Thompson

JAMES THOMPSON

*Counsel for the Clearview Defendants*

Counsel for Other Plaintiffs:

Frank Hedin  
Joshua Arisohn  
Scott Drury  
Steven Webster  
Michael Drew  
Michael Wood

**CERTIFICATE OF SERVICE**

I, Thomas M. Hanson, an attorney, hereby certify that, on April 24, 2023, I filed the foregoing document using the Court's CM/ECF system, which effected service on all counsel of record.

/s/ Thomas M. Hanson  
Thomas M. Hanson